

Docket No.
TWI-12010

Declaration For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

CRITICAL DIMENSION ANALYSIS WITH SIMULTANEOUS MULTIPLE ANGLE OF INCIDENCE MEASUREMENTS

the specification of which

(check one)

is attached hereto.

was filed on March 27, 2001 as United States Application No. or PCT International

Application Number 09/818,703

and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

| | | | |
|----------|-----------|------------------------|--------------------------|
| (Number) | (Country) | (Day/Month/Year Filed) | <input type="checkbox"/> |
| (Number) | (Country) | (Day/Month/Year Filed) | <input type="checkbox"/> |
| (Number) | (Country) | (Day/Month/Year Filed) | <input type="checkbox"/> |

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

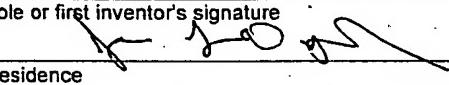
60/192,899 . **March 29, 2000**
(Application Serial No.) **(Filing Date)**

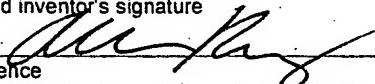
(Application Serial No.) (Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, CFR Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

| | | |
|--------------------------|---------------|--|
| (Application Serial No.) | (Filing Date) | (Status) (patented, pending, abandoned) |
| (Application Serial No.) | (Filing Date) | (Status) (patented, pending, abandoned) |
| (Application Serial No.) | (Filing Date) | (Status) (patented, pending, abandoned) |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | |
|---|----------------|
| Full name of sole or first inventor Jon Opsal | Date |
| Sole or first inventor's signature  | <i>5/18/01</i> |
| Residence 2295 Norwood Road, Livermore, CA 94550 | |
| Citizenship U.S.A. | |
| Post Office Address 2295 Norwood Road, Livermore, CA 94550 | |
| | |

| | |
|--|----------------|
| Full name of second inventor, if any Allan Rosencwaig | Date |
| Second inventor's signature  | <i>5/18/01</i> |
| Residence 3304 Deer Hollow Drive, Danville, CA 94506 | |
| Citizenship U.S.A. | |
| Post Office Address 3304 Deer Hollow Drive, Danville, CA 94506 | |
| | |

| | |
|-------------------------------------|------|
| Full name of third inventor, if any | |
| Third inventor's signature | Date |
| Residence | |
| Citizenship | |
| Post Office Address | |
| | |

| | |
|--------------------------------------|------|
| Full name of fourth inventor, if any | |
| Fourth inventor's signature | Date |
| Residence | |
| Citizenship | |
| Post Office Address | |
| | |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Jon Opsal et al.

Appln. No.: 09/818,703

Filed: March 27, 2001

For: CRITICAL DIMENSION ANALYSIS
WITH SIMULTANEOUS MULTIPLE
ANGLE OF INCIDENCE
MEASUREMENTS

Group Art: 2877

Examiner:

**POWER OF ATTORNEY BY
ASSIGNEE**

Commissioner for Patents
Washington, D.C. 20231

Sir:

THERMA-WAVE, INC., assignee of the entire right title and interest in the above-identified application by assignment dated May 18, 2001, which assignment was recorded in the Patent and Trademark Office on May 25, 2001, at Reel 11834, frame 325, hereby appoints the members of the firm of STALLMAN & POLLOCK LLP, a firm composed of:

| | |
|---------------------|--------|
| Michael A. Stallman | 29,444 |
| Michael J. Pollock | 29,098 |
| Kathleen A. Frost | 37,326 |
| Brian J. Keating | 39,520 |

as its attorneys with full power of substitution to prosecute this application and to transact all business in the Patent and Trademark Office in connection therewith.

Please direct all correspondence regarding this application to the following:

STALLMAN & POLLOCK LLP
Attn: Michael A. Stallman
121 Spear Street, Suite 290
San Francisco, CA 94105

Telephone: (415) 512-1312
Facsimile: (415) 512-1362

Dated: 8-21-01

THERMA-WAVE, INC.

By:

Name: Martin Schwartz
Title: Chief Executive Officer



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

AUGUST 09, 2001

PTAS

STALLMAN & POLLOCK LLP
MICHAEL A. STALLMAN
121 SPEAR STREET, SUITE 290
SAN FRANCISCO, CA 94105



RECEIVED

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AUG 14 2001

STALLMAN & POLLOCK LLP

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 05/25/2001

REEL/FRAME: 011834/0325
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

OPSAI, JON

DOC DATE: 05/18/2001

ASSIGNOR:

ROSEN CWAIG, ALLAN

DOC DATE: 05/18/2001

ASSIGNEE:

THERMA-WAVE, INC.
1250 RELIANCE WAY
FREMONT, CALIFORNIA 94539

SERIAL NUMBER: 09818703
PATENT NUMBER:

FILING DATE: 03/27/2001
ISSUE DATE:

SHAREILL COLES, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

Tab settings ➡ ➡ ➡ ➡ ➡

101731557

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):
Jon Opsal and Allan Rosencwaig

2. Name and address of receiving party(ies):

Name: **THERMA-WAVE, INC.**

Internal Address: **1250 Reliance Way**

Additional names(s) of conveying party(ies) Yes No

3. Nature of conveyance:

- Assignment Merger
 Security Agreement Change of Name
 Other _____

Street Address: **1250 Reliance Way**

City: **Fremont** State: **CA** ZIP: **94539**

Execution Date: **May 18, 2001**

Additional name(s) & address(es) attached? Yes No

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

09/818,703

B. Patent No.(s)

05/31/2001 LMUELLER 00000008 09818703

41 FC:581

40.00 DP

Additional numbers attached?

Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

6. Total number of applications and patents involved: **1**

1

Name: **Michael A. Stallman**

7. Total fee (37 CFR 3.41): \$ **40.00**

1

Internal Address: _____

Enclosed - Any excess or insufficiency should be credited or debited to deposit account

Authorized to be charged to deposit account

Street Address: **STALLMAN & POLLOCK LLP**

8. Deposit account number:

121 Spear Street, Suite 290

50-1703

City: **San Francisco** State: **CA** ZIP: **94105**

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Michael A. Stallman (Reg. No. 29,444)

[Signature]

May 22, 2001

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: **3**

ASSIGNMENT

WHEREAS, WE, Jon Opsal and Allan Rosencwaig, hereinafter referred to as "ASSIGNORS", have invented certain new and useful improvements as described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: CRITICAL DIMENSION ANALYSIS WITH SIMULTANEOUS MULTIPLE ANGLE OF INCIDENCE MEASUREMENTS

Application (Declaration/Oath) Execution Date: May 19, 2001

Filing Date: March 27, 2001

Application No.: 09/818,703

WHEREAS, THERMA-WAVE, INC., a corporation of the State of Delaware hereinafter referred to as "ASSIGNEE", is desirous of acquiring the entire right, title and interest in the said invention and application and in any Letters Patent which may be granted on the same;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that, for One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have sold, assigned and transferred, and by these presents do sell, assign and transfer unto the said Assignee, and Assignee's successors and assigns, all right, title and interest in and to the said invention, said application for United States Letters Patent, and any Letters Patent which may hereafter be granted on the same in the United States and all countries throughout the world including any divisions, renewals, continuations in whole or in part, substitutions, conversions, reissues, prolongations or extensions thereof, said interest to be held and enjoyed by said Assignee as fully and exclusively as it would have been held and enjoyed by said Assignors had this assignment and transfer not been made, to the full end and term of any such Letters Patent.

Assignors further agree that they will, without charge to said Assignee, but at Assignee's expense, cooperate with Assignee in the prosecution of said application and/or applications, execute, verify, acknowledge and deliver all such further papers, including applications for Letters Patent and for the reissue thereof, and instruments of assignment and transfer thereof, and will perform such other acts as Assignee lawfully may request, to obtain or maintain Letters Patent for said invention and improvement in any and all countries, and to vest title thereto in said Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, Assignor has hereunto signed his/her name to this assignment on the date indicated below.

Date: 5-18-2001

5-18-2001
Jon Opsal

State of California

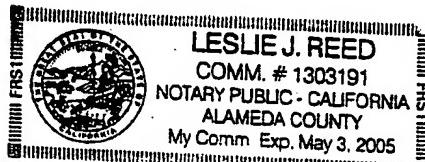
County of Alameda

On May 18, 2001 before me, LESLIE J. REED, Notary, personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Leslie Reed
Signature of Notary

SEAL

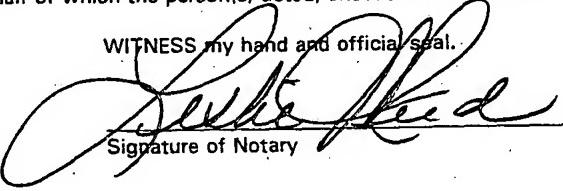


IN TESTIMONY WHEREOF, Assignor has hereunto signed his/her name to this assignment on the date indicated below.

Date: MAY 18, 2001
Allan RosencwaigState of CaliforniaCounty of Alameda

On May 18, 2001 before me, LESLIE J. REED, NOTARY
personally appeared ALLAN ROSENCEWAIG personally known to me or proved to me on the
basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and
acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their
signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.


Signature of Notary

SEAL

